



**FINAL ADMINISTRATIVE DECISION
ILLINOIS PROPERTY TAX APPEAL BOARD**

APPELLANT: Roxane W Curtis
DOCKET NO.: 15-00644.001-R-1
PARCEL NO.: 16-05-18-307-009-0000

The parties of record before the Property Tax Appeal Board are Roxane W Curtis, the appellant, by attorney Michael R. Davies, of the Law Offices of Michael R. Davies, Ltd. in Oak Lawn; and the Will County Board of Review.

Based on the facts and exhibits presented in this matter, the Property Tax Appeal Board hereby finds **No Change** in the assessment of the property as established by the **Will** County Board of Review is warranted. The correct assessed valuation of the property is:

LAND: \$20,432
IMPR.: \$88,887
TOTAL: \$109,319

Subject only to the State multiplier as applicable.

Statement of Jurisdiction

The appellant timely filed the appeal from a decision of the Will County Board of Review pursuant to section 16-160 of the Property Tax Code (35 ILCS 200/16-160) challenging the assessment for the 2015 tax year. The Property Tax Appeal Board finds that it has jurisdiction over the parties and the subject matter of the appeal.

Findings of Fact

The subject property is described as a two-story dwelling of brick and frame exterior construction containing approximately 3,009 square feet of living area. The dwelling was constructed in 2006 and features an unfinished basement, central air conditioning and 681 square feet of garage space. The property consists of approximately 13,224 square feet of land area located in Lockport, Homer Township, Will County.

The appellant contends overvaluation as the basis of the appeal. In support of this argument the appellant submitted an appraisal prepared by Tamika Clark estimating the subject property had a market value of \$316,000 or \$104.50 per square foot of living area as of May 15, 2013. The appraiser analyzed six comparables, five of which sold from September 2012 to April 2013 for prices ranging from \$275,000 to \$419,265 or from \$88.71 to \$134.75 per square foot of living area including land. Comparable #6 was a listing with an asking price of \$344,000 or 118.62 per

square foot of living area including land. The comparables have varying degrees of similarity to the subject. After adjusting for differences with the subject, the comparables' adjusted sale prices ranged from \$278,300 to \$391,190.

The appraiser also developed the cost approach which valued the property at \$380,000. In reconciliation, the appraiser states the sales comparison approach is the best to determine market value.

Based on this evidence, the appellant requested the total assessment be reduced to \$105,322 or a market value of approximately \$316,000 or \$104.50 per square foot of living area including land at the statutory level of assessment.

The board of review submitted its "Board of Review Notes on Appeal" disclosing the total assessment for the subject property of \$109,319. The subject's assessment reflects a market value of \$328,779 or \$108.72 per square foot of living area, land included, when using the 2015 three-year average median level of assessment for Will County of 33.25% as determined by the Illinois Department of Revenue.

With respect to the appellant's evidence, the board of review submitted a memo from the township assessor who cited errors in the dwelling sizes of four of the appraisal comparables. The assessor also submitted a reassessment sheet showing equity of assessments and equalization of sales for 54 parcels in the subject's subdivision.

In support of the subject's assessment, the board of review submitted information on four comparable sales. They are described as two-story dwellings of brick and frame construction built in 2013 or 2014. The comparables range in size from 2,988 to 3,118 square feet of living area. They feature unfinished basements, central air conditioning, one fireplace each and garages that contain either 703 or 747 square feet of building area. The comparables are located in the same subdivision and within .11 of a mile from the subject. These comparables sold from June through November 2014 for prices ranging from \$346,470 to \$370,000 or from \$112.25 to \$118.67 per square foot of living area including land.

Based on this evidence, the board of review requested confirmation of the subject's assessment.

Conclusion of Law

The appellant contends the market value of the subject property is not accurately reflected in its assessed valuation. When market value is the basis of the appeal the value of the property must be proved by a preponderance of the evidence. 86 Ill.Admin.Code §1910.63(e). Proof of market value may consist of an appraisal of the subject property, a recent sale, comparable sales or construction costs. 86 Ill.Admin.Code §1910.65(c). The Board finds the appellant did not meet this burden of proof and a reduction in the subject's assessment is not warranted.

The appellant submitted an appraisal estimating the property had a market value of \$316,000 or \$104.50 per square foot of living area as of May 15, 2013. The Board gave little weight to the final opinion of value found in the appraisal report which is dated and utilized sales from

September 2012 to April 2013 which are less indicative of market value as of the subject's assessment date of January 1, 2015.

The Board finds the best evidence of market value to be the four comparables submitted by the board of review. These comparables are located in the same subdivision as the subject and are similar to the subject in age, dwelling size, exterior construction, style and features. They sold from June through November 2014 for prices ranging from \$346,470 to \$370,000 or from \$112.25 to \$118.67 per square foot of living area including land. The subject's assessment reflects a market value of \$328,779 or \$108.72 per square foot of living area, land included, which is below the most similar comparables in this record on both a total market value basis as well as a per square foot basis. Based on this evidence, the Board finds no reduction in the subject's assessment based on overvaluation is warranted.

This is a final administrative decision of the Property Tax Appeal Board which is subject to review in the Circuit Court or Appellate Court under the provisions of the Administrative Review Law (735 ILCS 5/3-101 et seq.) and section 16-195 of the Property Tax Code. Pursuant to Section 1910.50(b) of the rules of the Property Tax Appeal Board (86 Ill.Admin.Code §1910.50(b)) the proceeding before the Property Tax Appeal Board is terminated when the decision is rendered. The Property Tax Appeal Board does not require any motion or request for reconsideration.



Chairman



Member



Member

Member



Member

DISSENTING: _____

CERTIFICATION

As Clerk of the Illinois Property Tax Appeal Board and the keeper of the Records thereof, I do hereby certify that the foregoing is a true, full and complete Final Administrative Decision of the Illinois Property Tax Appeal Board issued this date in the above entitled appeal, now of record in this said office.

Date: March 20, 2018



Clerk of the Property Tax Appeal Board

IMPORTANT NOTICE

Section 16-185 of the Property Tax Code provides in part:

"If the Property Tax Appeal Board renders a decision lowering the assessment of a particular parcel after the deadline for filing complaints with the Board of Review or after adjournment of the session of the Board of Review at which assessments for the subsequent year or years of the same general assessment period, as provided in Sections 9-125 through 9-225, are being considered, the taxpayer may, within 30 days after the date of written notice of the Property Tax Appeal Board's decision, appeal the assessment for such subsequent year or years directly to the Property Tax Appeal Board."

In order to comply with the above provision, YOU MUST FILE A PETITION AND EVIDENCE WITH THE PROPERTY TAX APPEAL BOARD WITHIN 30 DAYS OF THE DATE OF THE ENCLOSED DECISION IN ORDER TO APPEAL THE ASSESSMENT OF THE PROPERTY FOR THE SUBSEQUENT YEAR OR YEARS. A separate petition and evidence must be filed for each of the remaining years of the general assessment period.

Based upon the issuance of a lowered assessment by the Property Tax Appeal Board, the refund of paid property taxes is the responsibility of your County Treasurer. Please contact that office with any questions you may have regarding the refund of paid property taxes.

PARTIES OF RECORD

AGENCY

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APPELLANT

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